



Georgia
Presidential Elections
27 October 2013

Final monitoring report

by Public Movement "Multinational Georgia"



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The monitoring programme of October 27 presidential elections in 2013 was implemented with the financial support of National Democratic Institute (NDI), National Endowment for Democracy (NED), European Endowment for Democracy (EED) and “Open Society - Georgia” Foundation (OSGF)

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Tbilisi, Georgia
28 November, 2013

Contents

1. Brief summary of the monitoring programme results	3
2. General overview of the Presidential elections of 2013	5
3. Involvement of PMMG in the monitoring of the Presidential elections of 2013 ...	10
4. Election Day	14
5. Complaints and appeals regarding the voting day	16
6. Election results	20
7. Main findings/conclusions	21
8. Recommendations	22
9. Information about the PMMG	24

1. Brief summary of the monitoring programme results

The PMMG implemented Election day and post-election monitoring programme for the Presidential elections of October 27, 2013 at a number of polling stations in Samtskhe-Javakheti and Kvemo Karli regions, where the ethnic minorities make up over 30% of the local population.

On the Election Day, despite some irregularities revealed by short-term observers of the organisation during preparation and opening of the polling stations, voting, counting and tabulation, the PMMG concludes that the Presidential elections of 2013 were in line with the national and international norms of holding transparent and fair elections. At the polling stations, monitored by the organisation's representatives (voters) of ethnic minorities had the possibility to exercise their right to vote in a competitive environment.

The majority of the organisation's observers were able to freely observe all procedures on the Election Day. On the Election Day, the PMMG submitted total 20 complaints to the PECs. Mainly, complaints related to irregularities revealed during preparation and opening of the polling station, voting and counting.

After the voting process was over, the PMMG filed total 216 complaints to the DEC, the majority of which related to the procedural violations that did not have meaningful impact on the lawfulness of the election process.

Appeals were filed in courts on 15 decisions of the DEC refusing to satisfy the complaints; 3 out of these appeals were satisfied fully and four were rejected due to expiration of the deadline for appeal.

Source of assessment of the monitoring programme

Implementation of the monitoring conducted by the PMMG on the Election Day, as well as in post-election period, was evaluated in accordance with the following legal instruments: "Commitments for democratic elections for the OSCE participating states", "Code of Good Practice in Electoral Matters" (Venice Commission), "Copenhagen Documents", other international standards of democratic elections and Georgian electoral legislation.

Support for involvement of ethnic minorities in the election process

At the presidential elections of 2013 the election administration paid attention to the ethnic minority issues. CEC implemented a number of programmes for ethnic minorities on electoral education oriented on different types of voters. It translated and published a range of electoral material in Armenian and Azerbaijani languages. The CEC carried out a number of information campaigns through active TV companies in Samtskhe-Javakheti and Kvemo Kartli regions aimed at disseminating information to voters belonging to ethnic minorities. It also conducted field visits to hold informative-educational meetings in the regions densely populated with ethnic minorities.

Ethnic composition of election administration

According to information collected as a result of the PMMG monitoring programme, election administration at the polling stations, mainly located in the regions populated with ethnic minorities and monitored by the organisation, were staffed with ethnic minority representatives, namely, members of the PEC at the polling station #182 were representatives of national minorities. Out of 200 polling stations monitored by PMMG observers, secretary or/and chairman of the PEC at 136

polling stations were representatives of national minorities. Majority of ethnic minority members of PECs at 176 polling stations were proficient in the state language.

Gender issues in composition of the election administration

At the polling stations monitored by the organisation, women were widely represented in the election administration, though they were less represented at the decision-making level (chairperson and/or secretary). In particular, part of the PEC members at 192 polling stations were women, but only 51 women held the position of chairperson or/and secretary.

In general, despite some progress, the electoral environment needs to be further developed in order to fully respect the rights of voters, including those belonging to ethnic minorities, and to ensure possibilities of making their own political choice in the competitive environment. In order to achieve the mentioned, it is necessary that:

- Local civil society and international organisations, as well as election administration facilitate raising electoral awareness of voters, including those belonging to ethnic minorities, and implement relevant programmes to that end; wide involvement of political organisations is also needed in the process of raising the electoral awareness of voters.
- The CEC develops electoral knowledge and professional skills of election administration servants, including those belonging to ethnic minorities, and implements educational-cognitive programmes for professional training of the election administration members.
- Election administration promotes practice of drawing up, filing and review of statements/complaints in minority languages and ensures elaboration and adoption of respective regulations to this effect.
- The Parliament of Georgia adopts amendments to the electoral legislation to improve and simplify and make available the procedures of drawing up and filing of complaints and appeals.

2. General overview of the Presidential elections of 2013

2.1 Legal basis

On the basis of Presidential decree # 04/07/01 of July 4, 2013 on “Setting the date of the Presidential elections in Georgia” in accordance with paragraph 9 of Article 70 of the Georgian Constitution, the next Presidential elections in Georgia were scheduled on October 27, 2013. According to the Constitution, the President of Georgia is elected directly for the period of 5 years.

2.2 Importance of the Presidential elections of 2013

The Presidential elections marked an important development in the modern history of Georgia, for after the October Presidential elections, the Constitutional Articles would come into force, which dramatically increases powers of the Prime-Minister at the expense of limiting those of the President. All this mentioned increased the political anxiety around the election process.

2.3 Election administration

The Presidential elections of 2013 were administered by a three-level administration: Central Election Commission (CEC), 73 District election Commissions (DECs) and 3741 Precinct Election Commissions (PECs) (including the polling stations (34) set up on exceptional basis and others (52) set up abroad).

2.4 Support for involvement of ethnic minorities in the election process

At the presidential elections of 2013 the election administration paid attention to the ethnic minority issues. A special task-force is set up at the CEC to simplify and support electoral processes for voters belonging to ethnic minorities.

The following electoral material was translated and published by the CEC in Armenian and Azerbaijani languages: Handbook for PECs members; Manual for the PEC Chairman; Functions of the Commission member responsible for regulating the flow of voters; Responsibilities of the PEC secretary on the Election day; Functions of the Commission member responsible for voter registration; Functions of the Commission member responsible for supervision of the ballot-box and special envelopes; Functions of the Commission member accompanying the mobile ballot-box; Poster depicting the polling station building and voting procedures, which is placed on the wall at the PEC; Training tests for PEC members; Memorial/flyer for voters; press-releases; Instructions for usage of ballot paper; rules of filling in the ballot paper; educational film “Election day procedures” (with Armenian and Azerbaijani subtitles); voter’s information paper; CEC commercial/information video-clips; unified voter list; ballot papers (in Georgian-Armenian and Georgian-Azerbaijani languages).

To disseminate information to voters representing national minorities, the CEC implemented the following activities: 9 CEC advertisings were translated into Armenian and Azerbaijani languages

and aired on the following regional TV channels in Samtskhe-Javakheti and Kvemo Kartli: in Akhaltsikhe- TV company “Channel 9”; Akhalkalaki – TV company “ATV 12”; Ninotsminda – TV company “Parvana”; Bolnisi – TV company “Bolneli”; Rustavi – “Kvemo Kartli TV and Radio Company” (Rustavi, Marneuli and Gardabani); Marneuli – TV company “Marneuli TV”.

In 2012 a banner “Ethnic Minorities” was created at the CEC website (www.cesko.ge), which includes materials in ethnic minority languages (Armenian and Azerbaijani) related to 2013 Presidential elections. The mentioned information was also placed in the social network at the CEC official Facebook page.

To create equal electoral environment for voters representing the national minorities, the data of the unified voter list existing at the CEC official web-page (www.cesko.ge), was available in Armenian and Azerbaijani languages for voters representing national minorities residing in the regions densely populated with ethnic minorities (according to registered voters in the DEC of Gardabani, Marneuli, Bolnisi, Dmanisi, Tsalka, Tetrtskaro, Akhaltsikhe, Akhalkalaki and Ninotsminda).

During the Presidential elections, the CEC contact-centre operators disseminated elections-related information to voters representing ethnic minorities in Armenian and Azerbaijani languages.

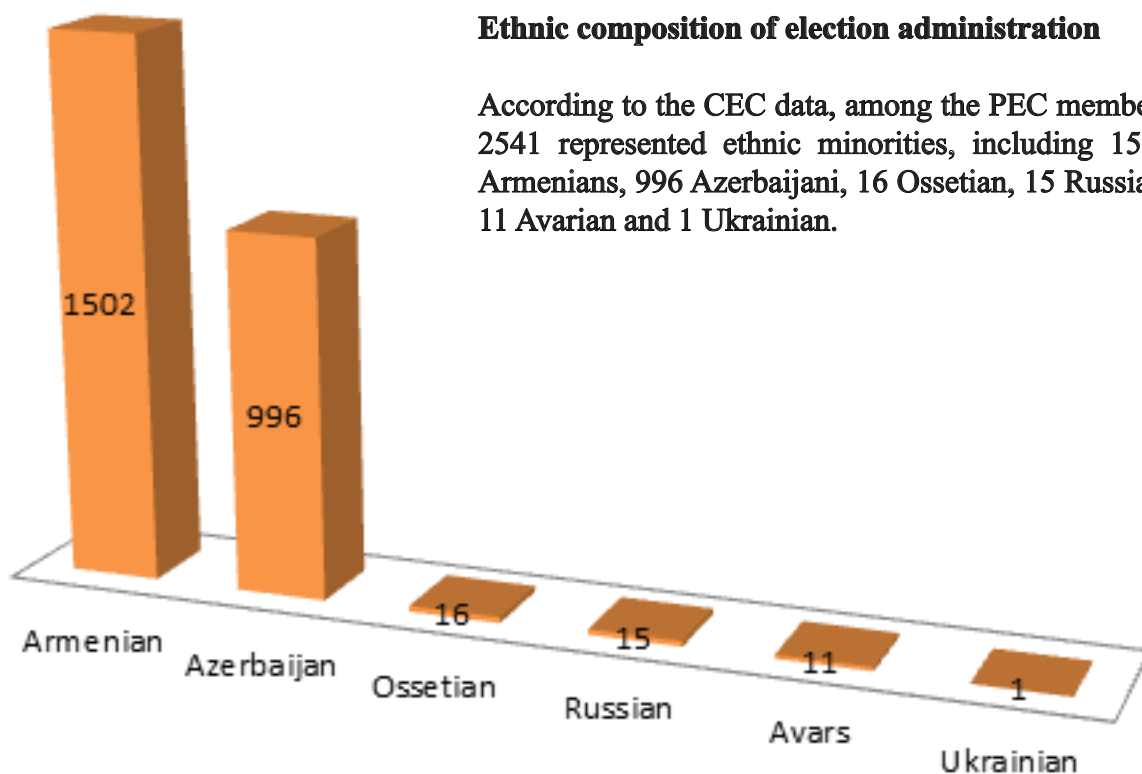
Before the Presidential elections of October 27, 2013, the CEC conducted field meetings in the regions densely populated with national minorities: villages Sadakhlo, Tazagendi, Azekendi, Algeti in Marneuli district; villages Aiazma and Pariz in Tsalka district; villages Tsuravi and Nakhiduri in Bolnisi district; villages Gachiani and Kesalo in Gardabani district; village Duisi (Pankisi gorge) in Akhmeta district; village Mtisdziri in Kvareli district. At the meetings the local population received information about activities planned for the national minorities by the CEC for the Presidential elections of October 27, 2013.

2.5. Ethnic composition of the election administration

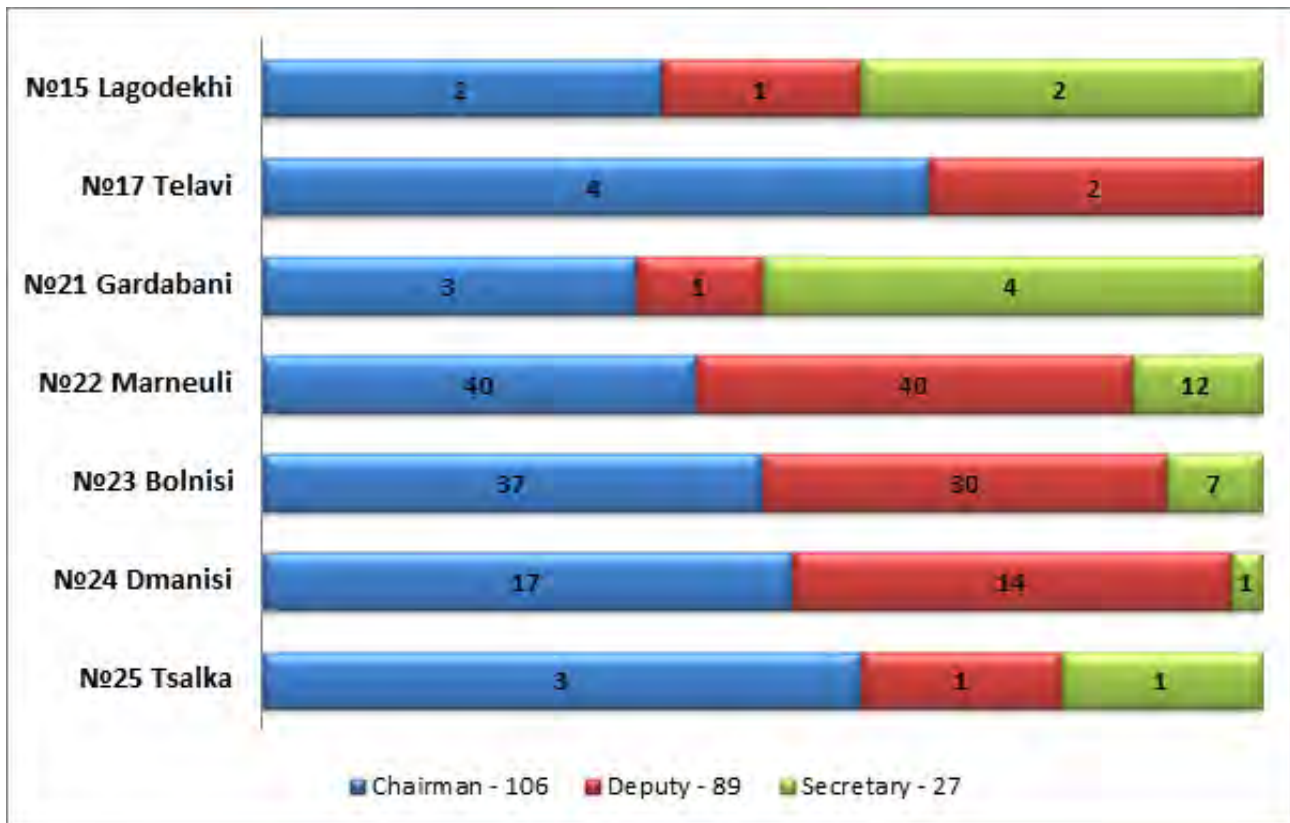
Number of the precincts with compact settlements of ethnic minorities according to the electoral districts.

Considering the compact ethnic minority settlements, the CEC opened 338 precincts in 12 electoral districts:

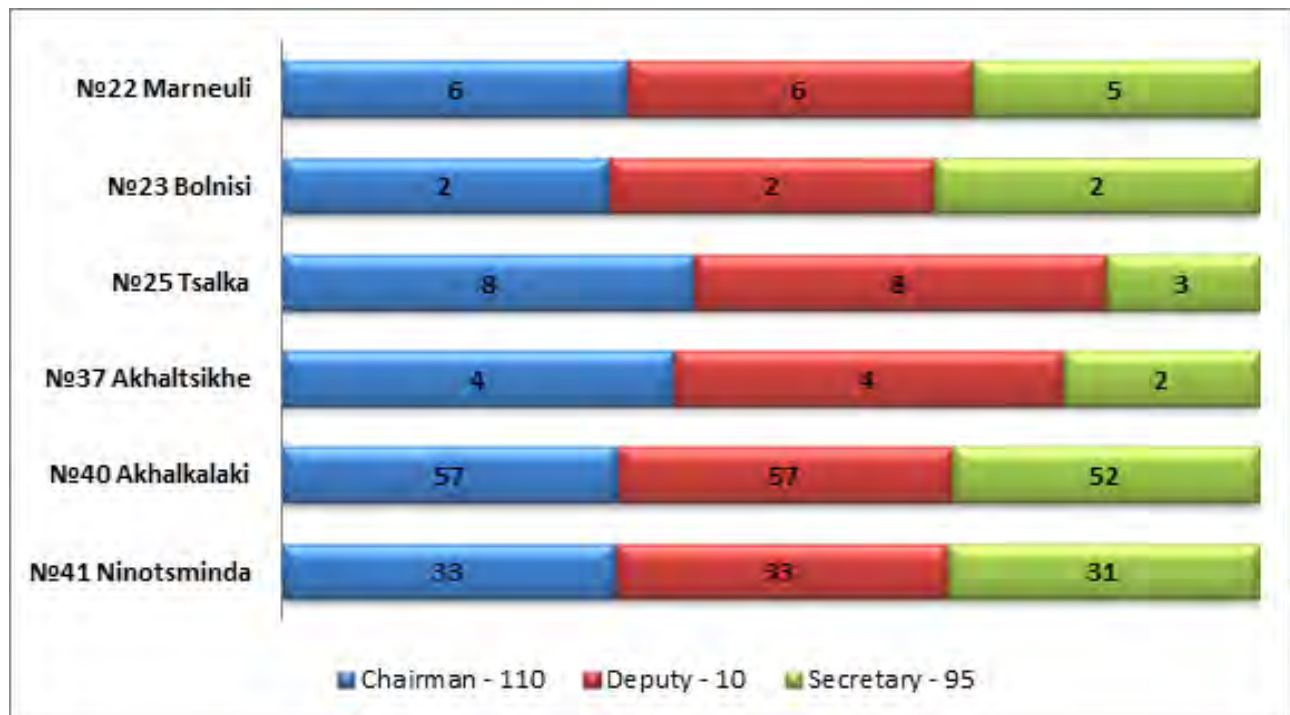
Name of the district	Number of precincts
# 11 Sagarejo (Iormughalo)	12 precincts
# 15 Lagodekhi (Kabali)	6 precincts
# 17 Telavi (Karajala)	4 precincts
#21 Gardabani	32 precincts
# 22 Marneuli	81 precincts
# 23 Bolnisi	42 precincts
# 24 Dmanisi	32 precincts
# 25 Tsalka	16 precincts
# 26 Tetrtskaro	5 precincts
# 37 Akhaltsikhe	8 precincts
# 40 Akhalkalaki	63 precincts
# 41 Ninotsminda	36 precincts
Total	338 precincts



Number of PEC chairpersons, secretaries and deputy chairpersons of Azerbaijani origin, according to the electoral districts:



Number of PEC chairpersons, secretaries and deputy chairpersons of Armenian origin, according to the electoral districts:



Based on the information collected in the course of the PMMG monitoring programme, the election administration of the precincts monitored by the organisation was staffed with national minority representatives, namely, members of the commissions at 182 precincts represented national minorities.

Majority of ethnic minority members of PECs at 176 polling stations were proficient in the state language. Out of 200 polling stations monitored by PMMG observers, secretary or/and chairman of the PEC at 136 polling stations were representatives of national minorities.

2.6 Electoral candidates

According to the CEC data, 23 candidates were registered for the Presidential elections of 2013, while none of them belonged to any ethnic minority group living in Georgia:

1. Mikheil Saluashvili
2. Netan Kirtadze
3. Shalva Natelashvili
4. Mamuka Tchokhonelidze
5. Giorgi Targamadze
6. Sergo Javakhidze
7. Giorgi Liluashvili
8. Levan Chachua
9. Avtandil Margiani
10. Mamuka Melikishvili
11. Nugzar Avaliani
12. Teimuraz Bobokhidze
13. Tamaz Bibiluri
14. David Bakradze
15. Giorgi Margvelashvili
16. Koba Davitashvili
17. Akaki Asatiani
18. Nino Burjanadze
19. Nino Tchanishvili
20. Zurab Kharatishvili
21. Kartlos Gharibashvili
22. Teimuraz Mzhavia
23. Giorgi Chikhladze

2.7 Observers and media coverage

According to the CEC, 60 local organisations (19 746 observers) and 65 international organisations (1241 observers) were registered to observe the Presidential elections of October 27, 2013. They monitored process of opening of precincts, voting and tabulation. To prepare election coverage, 152 local and international media organisations (1 381 media representative) passed accreditation at the CEC.

2.8 Results of the Presidential elections of 2013

Based on the results of the Presidential elections, Giorgi margvelashvili won 62.12% of votes, David Bakradze – 21.72%, Nino Burjanadze – 10.19%, Shalva Natelashvili – 2.88%, Giorgi Targamadze – 1.06%. The rest of the candidates could not collect more than 1% of votes.

3. Involvement of PMMG in the monitoring of the Presidential elections of 2013

At the Presidential elections of 2013, the PMMG, within its monitoring programme, observed 31 precincts in Ninotsminda electoral district, 41 - in Akhalkalki electoral district, 7 - in Aspindza electoral district, 27 - in Akhaltsikhe electoral district and 4 precincts in Borjomi electoral district, in Samtskhe-Javakheti region. In total, 110 precincts were covered in Samtskhe-Javakheti region within the programme. In Kvemo Kartli region, observation was made at 33 precincts in Marneuli electoral district, 25 – in Bolnisi electoral district, 12 – in Tsalka electoral district and 20 precincts in Gardabani electoral district. In total, 90 precincts were covered in Kvemo Kartli region within the programme. Altogether, on the Election Day monitoring mission was implemented at 200 precincts both in Samtskhe-Javakheti and Kvemo Kartli regions.

The monitoring programme was implemented by 1 CEC observer, 9 DEC observers, 200 short-term (PEC) observers and 40 mobile group observers. In total, on the Election Day, 250 observers were mobilised by the organisation.

In the methodological view, during the Presidential elections of 2013, the Election Day and post-election monitoring programme was implemented at precincts in a number of electoral districts of Samtskhe-Javakheti and Kvemo Kartli, where ethnic minorities make up over 30% of the local population.

Region	District	Mobile group	Precinct	Total
Samtskhe-Javakheti				
Ninotsminda	1	5	31	37
Akhalkalki	1	9	41	51
Aspindza	1	1	7	9
Akhaltzikhe	1	5	27	33
Borjomi	1	1	4	6
Total	5	21	110	136
Kvemo Kartli				
Marneuli	1	6	33	40
Bolnisi	1	5	25	31
Tsalka	1	3	12	16
Gardabani	1	5	20	26
Total	4	19	90	113
Tbilisi CEC observer				
	0	0	0	1
Total	9	40	200	250

To ensure effective implementation of the monitoring programme in the pre-election period, the organisation conducted a cycle of training sessions oriented on capacity building for the CEC, DEC, PEC and mobile group observers, as well as district logistical coordinators.

Representatives of the PMMG were actively involved in the activities of the inter-party working group on electoral issues formed in the Parliament of Georgia, and participated in the meetings and discussions related to electoral issues.

Collection and processing of information and reacting on it

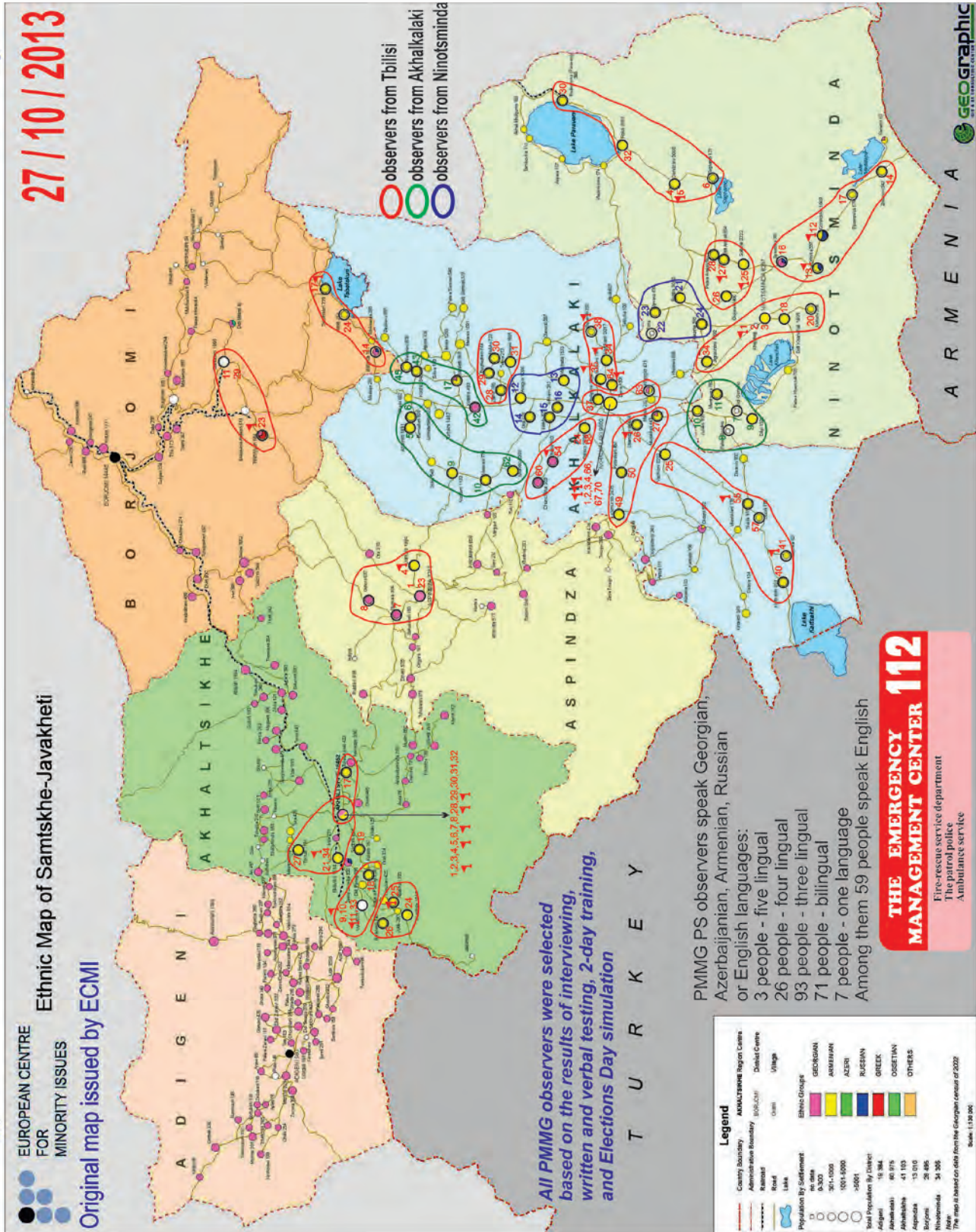
10 operators were mobilised at the call centre (central office of the PMMG). They regularly and timely received information from organisation's observers on all relevant facts that may have hampered conduct of democratic elections in two specific regions – Samtskhe-Javakheti and Kvemo Kartli.

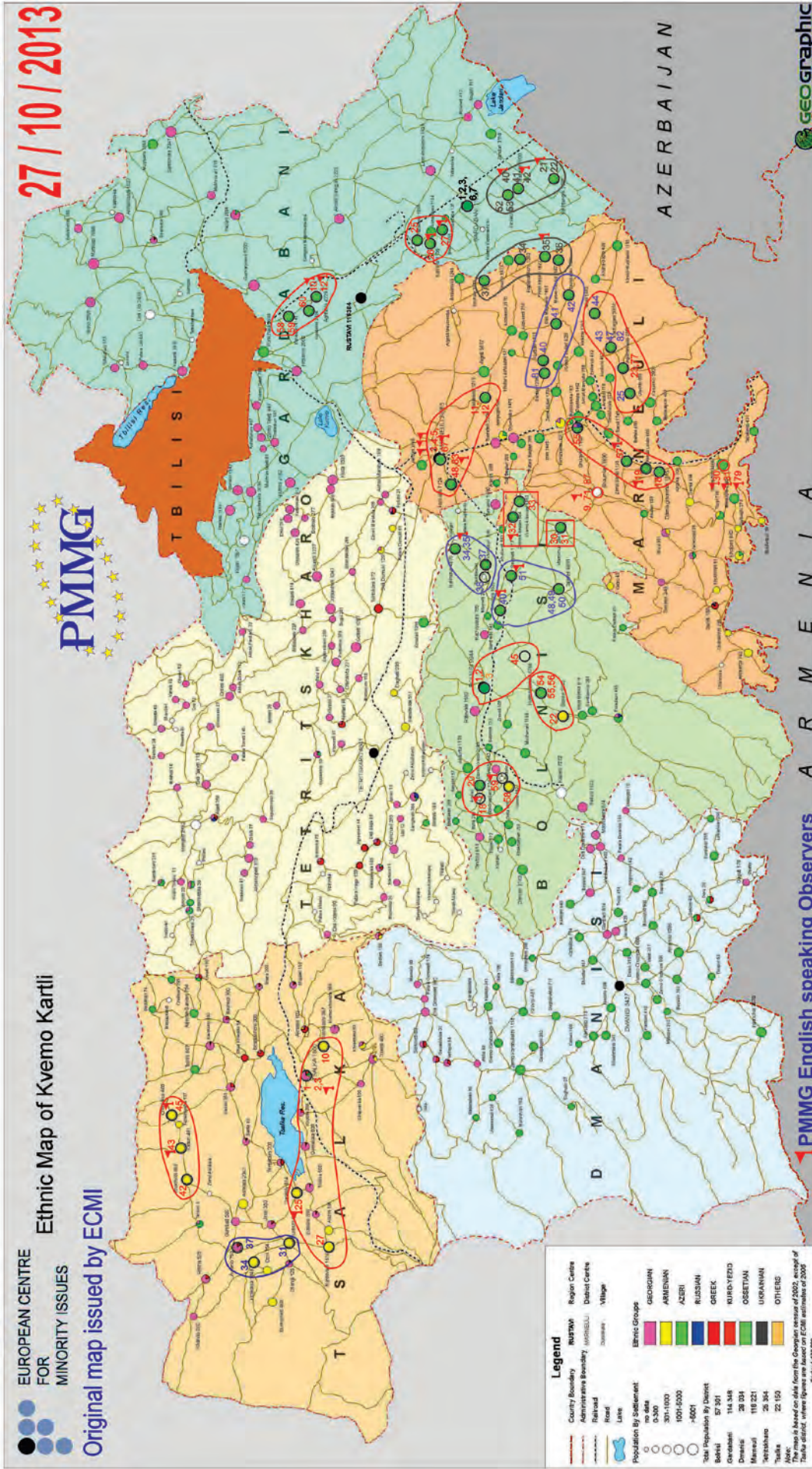
Any citizen could provide information on violations through a PMMG hotline, which was functioning all day through to receive information from citizens and to react respectively.

The lawyers of the organisation provided legal support to the monitoring programme.



PMMG support to the conduction of more free and fair Presidential Elections in Samtskhe-Javakheti and Kvemo Kartli regions





EUROPEAN CENTRE FOR MINORITY ISSUES
Original map issued by ECMI

Ethnic Map of Kvemo Kartli

27 / 10 / 2013



- observers from Tbilisi
- observers from Marneuli
- observers from Rustavi
- observers from Gardabani
- observers from Dmanisi

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Kvemo Kartli

Districts	DEC	Mobile groups	PECs
Marneuli	1	7	33
Borjomi	1	5	25
Tsalika	1	3	12
Gardabani	1	4	20
Sub-total	4	19	90

Samtskhe-Javakheti

Districts	DEC	Mobile groups	PECs
Ninoisminda	1	6	29
Akhalkalaki	1	9	44
Aspindza	1	1	5
Akhaltsikhe	1	4	26
Borjomi	1	1	6
Sub-total	5	21	110

4. Election day

Setting up and opening of the polling station:

Majority of the polling stations (195 precincts) were ready to receive voters by 8.00 a.m., and 5 – were not, namely: #5, #25 and #77 precincts of #22 Marneuli electoral district; #37 precinct of #25 Tsalka electoral district and #24 precinct of #40 Akhalkalki electoral district.

Two cases of insufficiently prepared precincts were revealed by the observer: at #83 precinct of #22 Marneuli electoral district and #25 precinct of #41 Ninotsminda electoral district.

One case of violation of rules of casting of lots for distribution of functions among the commission members was observed at #4 precinct of #41 Ninotsminda electoral district.

Three cases of late admission of an observer to the polling station was identified at: #25 precinct of #41 Ninotsminda electoral district, #3 precinct of #23 Bolnisi electoral district and #55 precinct of #40 Akhalkalki electoral district.

Violation of procedures was reported at #55 precinct of #22 Marneuli electoral district: according to the observer, as a result of casting lots, only 1 member of the commission to accompany the mobile-box was revealed, instead of two members. Pursuant to the verbal notice of the observer, casting of lots was repeated and the irregularity was solved.

At the precincts monitored by the organisations, in 79 cases all 13 members of the PECs were present at the opening of the polling station, and in 13 cases – there were only 7 members present.

At #4 precinct of #22 Marneuli electoral district a control sheet was cast in the main box without signature of the first voter. The organisation's observer wrote a complaint, which was not satisfied by the commission.

Voting and closing of precincts

Majority of voters cast their vote upon presentation of respective documents, though in one case, namely at #31 precinct of #22 Marneuli electoral district, vote was cast without presentation of relevant documents.

According to the majority of observers, inking was verified during entire voting process, though inking was not verified at #31 and #42 precincts of #22 Marneuli electoral district.

Two cases of signatures put in advance in the voter list along the voters' names were identified by observers at: #27 precinct of #21 Gardabani electoral district and #1 precinct of #37 Akhaltsikhe electoral district.

3 out of 200 observers of the PMMG were subject to physical violence/pressure/intimidation: at #51 and #57 precincts of #22 Marneuli electoral district, #51 precinct of #23 Bolnisi electoral district.

According to PMMG observers, the secrecy of polling was violated in one case: at #5 precinct of

#22 Marneuli electoral district, a control sheet was cast in the main box together with the voter ballot paper in the envelope. A complaint was prepared, but was not satisfied.

A case of signatures put in advance in the voter list along the voters' names was noted at #1 precinct of #37 Akhaltsikhe electoral district.

There were cases of ballot paper forgery: the organisation's observer note two facts at #42 precinct of #22 Marneuli electoral district, where the registrar gave the voter already filled out ballot paper that was filmed by camera. After the mentioned incident, presence of cameras was banned at the polling station. Two complaints were written on this fact, of which the one related to allowing cameras at the polling station was satisfied.

Up to 10 facts of ballot stuffing by commission members were identified at #57 precinct of #22 Marneuli electoral district. At the same precinct, the PMMG observer noted presence of unauthorised persons. Facts of pressure and intimidation against observer were noted at the same precinct, upon which the PMMG observer filed a complaint to the PEC, which was not registered. As a next step, the complaint was submitted to the DEC.

Facts of mass voting without inking verification was noted at #42 precinct of #22 Marneuli electoral district. Organisation's observer filed a complaint on this fact to the PEC, which was registered. However, after filing the complaint, the situation did not improve at the polling station.

4 out of 200 PMMG observers, deems that voting process was conducted with significant violations.

Closing of the polling station and vote counting

Based on the information provided by the observers, at the majority of precincts, the organisation's observers were allowed to observe every stage of vote counting process.

In general, no unauthorised persons were noted at the precincts, though one observer noted such fact, namely at #57 precinct of #22 Marneuli electoral district.

5. Complaints and appeals regarding the voting day

According to facts and evidence collected by the monitoring organisation, it is concluded that the Presidential elections of 2013 demonstrated certain progress, unlike the parliamentary elections of 2012, that was noted by local, as well as international observers.

One of the outcomes of the Presidential elections was improved professional qualification of election administration representatives (improved observance of electoral rules and procedures by PEC members, good collegial attitudes demonstrated by them towards organisation's observers, respect to their rights and non-interference in performing their tasks, etc.), that, finally, contributed to decrease significantly cases of gross violation of electoral legislation, including those which could attract attention of wider public. PMMG observers noted only few facts of gross violation of electoral rules and procedures. Although, certain irregularities were identified, including in the process of preparation and opening of the precincts, voting and drawing up of PEC summary protocols.

It must be noted that observers reacted to electoral violations, including procedural irregularities, according to the instructions prepared in advance:

- a) Making verbal objections to the PEC to immediately eradicate irregularity/violation;
- b) Drawing up and filing a complaint to the PECs and/or DEC in case the PEC did not take relevant measures upon receiving the verbal notice regarding resolution of irregularity/violation.

Monitoring results of observers' performance revealed an interesting trend: in the majority cases the verbal notices were satisfied by PEC chairperson or its members. Only several complaints were written, due to the PEC's refusal to satisfy the verbal notices of observers.

Complaints filed to the PECs:

On the polling day, 20 complaints were filed to the PECs. 5 out of them were satisfied, 3 were transmitted to the DECs. In particular, one complaint was written in the Bolnisi electoral district, 3 – in Ninotsminda electoral district (one was satisfied, and one was transmitted to the DEC), 1 – in Akhaltsikhe electoral district, 4 – in Akhalkalaki electoral district (two complaints were satisfied, the other two were transmitted to the DEC), 1 – in Gardabani electoral district, 10 – in Marneuli electoral district (two complaints were satisfied). The complaints related to violations revealed in the process of preparation and opening of polling stations, voting and counting.

Complaints submitted to DECs:

After the voting process was over, the central office of the monitoring organisation submitted complaints to the DECs on invalidation of the summary protocol of 195 PECs. PMMG representatives submitted additional 21 complaints to Akhaltsikhe DEC on the spot.

The PEC seal did not have any carve at:

- #2 and #4 precincts of #39 Aspindza electoral district;
- #2 precinct of #37 Akhaltsikhe electoral district;
- #57 and #62 precincts of #39 Marneuli electoral district;

- #48, #28, #9, #63 precincts of #40 Akhalkalaki electoral district;
- #11, #15, #43, #48, #55 and #58 precincts of #23 Bolnisi electoral district;
- #12 precinct of #21 Gardabani electoral district;
- #53 precinct of #22 Marneuli electoral district;
- #21 precinct of #41 Ninotsminda electoral district;
- #20, #13, #33, #35, #2, #45 and #37 precincts of #25 Tsalka electoral district;
- #33 precinct of #37 Akhaltsikhe electoral district;
- #22 precinct of #37 Akhaltsikhe electoral district.

The PEC seal had only one carve at:

- #52 precinct of #21 Gardabani electoral district;
- #9 precinct of #22 Marneuli electoral district;
- #2 precinct of #41 Ninotsminda electoral district;
- #29 precinct of #37 Akhaltsikhe electoral district.

Part of cells in the PEC summary protocol denoting electoral subjects were left empty at:

- #2, #12, #15, #17, #18 and #19 precincts of #39 Aspindza electoral district;
- #25 and #19 precincts of #37 Akhaltsikhe electoral district;
- #70, #67, #66, #37, #04, #03, #02, #01, #68, #45, #16, #30, #12, #64, #55, #50, #10, #27, #14, #43, #28, #62, #57 and #48 precincts of #40 Akhalkalaki electoral district;
- #1, #2, #3, #05, #8, #20, #25, #30, #33, #37, #38, #39, #40, #43, #50, #51, #52, #55, #58, #59, #60 and #61 precincts of #23 Bolnisi electoral district;
- #08, #10, #15, #21, #22 and #24 precincts of #36 Borjomi electoral district;
- #12, #04 and #26 precincts of #21 Gardabani electoral district;
- #01; #06, #08; #10, #13; #14; #15; #19; #20; #24; #25; #27; #36; #39; #40; #41; #42; #49; #50; #51; #55; #56; #57; #58; #59; #60; #62; #63; #68; #72; #78; #82; #83; #84; #12; #09; #38; #87; #16; #33; #65; #73; #77 and #23 precincts of #22 Marneuli electoral district;
- #22, #02, #27, #05, #06, #23, #14, #09, #20, #26, #34, #01, #10 and #07 precincts of #41 Ninotsminda electoral district;
- #39, #38, #32, #29, #27, #24, #22, #17, #16, #04, #05, #11, #15, #20, #33, #27, #31 and #42 precincts of #25 Tsalka electoral district.

Attempt to loot the documents from DEC at:

- #39 Aspindza DEC.

Inconsistency between the original summary protocol of polling results and its copy at:

- #02, #13, #27 and #31 precincts of #37 Akhaltsikhe electoral district;
- #2 precincts of #40 Akhalkalaki electoral district;
- #17 precinct of #36 Borjomi electoral district;
- #12 precinct of #21 Gardabani electoral district;
- #11, #18, #30, #43, #44, #47 and #66 precincts of #22 Marneuli electoral district;
- #22, #02, #27, #06, #23, #30 and #21 precinct of #41 Ninotsminda electoral district;
- #49 and #59 precincts of #23 Bolnisi electoral district;

- #44, #03 and #42 precincts of #25 Tsalka electoral district.

The summary protocol was not certified by PEC stamp at:

- #43 precinct of #40 Akhalkalaki Electoral district;
- #33 precinct of #22 Marneuli electoral district;

Amendment protocol to the summary protocol was not certified by the PEC stamp at:

- #72 precinct of #22 Marneuli electoral district.

Attempts to influence the PEC members and chairperson at:

- #10 precinct of #37 Akhaltsikhe electoral district.

Number of ballot papers cast in the main ballot box exceeding the number of signatures in the voter lists at:

- #10 precinct of #37 Akhaltsikhe electoral district.

Number of electoral subjects present at the polling station exceeding that of permitted by the law at:

- #21 precinct of #37 Akhaltsikhe electoral district;
- #5 precinct of #37 Akhaltsikhe electoral district.

21 complaints of those submitted were fully satisfied and 69 - only partially.

Complaints submitted to court:

Appeals were made to court on 12 decisions of DEC's refusing to satisfy complaints, namely:

The PEC seal did not have any curves at:

- #02 precinct of # 37 Akhaltsikhe electoral district;
- #28 and #09 precincts of #40 Akhalkalaki electoral district;
- #11, #15, #43, #48, #55 and #58 precincts of #23 Bolnisi electoral district;

Inconsistency between the original summary protocol of polling results and its copy at:

- #30 precinct of #22 Marneuli electoral district.

Summary protocol was not certified by the PEC stamp at:

- #33 precinct of #22 Marneuli electoral district.

Amendment protocol to the summary protocol was not certified by the PEC stamp at:

- #72 precinct of #22 Marneuli electoral district.

The court reached positive ruling on all three appeals, related to decisions of Marneuli DEC (the court invalidated summary protocols and ordered the Commission to recount the voting results).

Appeals submitted to Bolnisi, Akhaltsikhe and Akhalkalaki district courts were not adjudicated due to expiry of the deadline for appeal.

Important to note, that appeals were submitted to Bolnisi, Akhaltsikhe and Akhalkalaki district courts within the deadline defined for appeals. Pursuant to paragraph one of Article 61 of Georgian Civil Procedure Code, “A procedural action, for which certain deadline is set, can be accomplished before expiry of 24 hours on the last day of the set deadline. If a complaint, documents or cash amount was handed in to the post office before the expiration of 24 hours on the last day of the deadline, the deadline shall not be considered expired”. Accordingly, the deadline for appeal is considered as observed, if an appeal was handed in to the post office in time, no matter when the courier delivers the mail to the addressee.

Although, the court did not rule based on this article, but rather used another legal norm as a ground: according to the Election Code of Georgia, “Application/claim/complaint is considered to be submitted to the Election Commission or to the Court after it has been registered in the relevant Election Commission or at the pertinent Court”. All three courts gave advantage to the norm set by the Election Code and therefore, refused to adjudicate on the appeals submitted by the organisation. It must be also noted that the courts did not violate the law by such decision.

Despite the fact that appeals were prepared in time, failure to comply with the deadline of submitting appeals to the courts was caused by objective reasons: the last day of the deadline coincided with a non-business day, delivery of the documents to the final destination required additional resources, which the organisation lacked.

6. Election results

Summary indicators:

Number of voters: 3 537 719

Number of voters participating in the elections: 1 660 976

Number of ballot papers considered void: 30 101

Votes received according to the electoral subjects:

#	Candidate's name and surname	Votes received	%
1	Tamaz Bibiluri	687	0.04
2	Giorgi Liluashvili	1 909	0.12
3	Sergo Javakhadze	2 107	0.13
4	Koba Davitashvili	9 838	0.6
5	David Bakradze	354 103	21.72
6	Akaki Asatiani	1 559	0.1
7	Nino Tchanishvili	2 276	0.14
8	Teimuraz Bobokhidze	356	0.02
9	Shalva Natelashvili	46 984	2.88
10	Giorgi Targamadze	17 354	1.06
11	Levan Chachua	3 093	0.19
12	Nestan Kirtadze	762	0.05
13	Giorgi Chikhldadze	820	0.05
14	Nino Burjanadze	166 061	10.19
15	Zurab Kharatishvili	3 718	0.23
16	Mikheil Saluahsvili	1 376	0.08
17	Kartlos Gharibashvili	530	0.03
18	Mamuka Tchokhanelidze	315	0.02
19	Avtandil Margiani	627	0.04
20	Nugzar Avaliani	664	0.04
21	Mamuka Melikishvili	995	0.06
22	Teimuraz Mzhavia	1 285	0.08
23	Giorgi Margvelashvili	1 012 569	62.12

Source: CEC summary protocol and official web-page:
<http://www.cec.gov.ge/uploads/other/26/26456.pdf>

7. Main findings

Based on the facts collected during the monitoring process, it is concluded that the Presidential elections of 2013 demonstrated certain progress, unlike the parliamentary elections of 2012, that was noted by local, as well as international observers.

The majority of the organisation's observers were able to freely observe all procedures on the Election Day.

One of the findings of the Presidential elections was improved professional qualification of election administration representatives that, finally, contributed to the significant decrease in cases of gross violation of electoral legislation, including those which could attract attention of wider public. PMMG observers noted only few facts of gross violation of electoral rules and procedures. Although, certain irregularities were identified, including in the process of preparation and opening of the precincts, voting and drawing up of PEC summary protocols that did not have meaningful impact on the lawfulness of the election process. It is noteworthy, that considerable number of violations was caused by law qualification of the commission members. Irregularities made by the commission members during administration of elections clearly indicates on the need to further upgrade qualification of representatives of the election administration, in order to diminish probability of revealing the above mentioned procedural irregularities for the next elections.

Monitoring results of observers' performance revealed an interesting trend: in the majority cases the verbal notices of observers were satisfied by PEC chairperson or its members. Only several complaints were written on violations related to the voting process, due to the PEC's refusal to satisfy the verbal notices of observers.

It must be noted that at some precincts, PEC members had difficulties in reading the complaints prepared in Georgian, due to lack of proficiency in Georgian. Though, at 176 precincts, majority of PEC members belonging to national minorities were proficient in the state language.

The level of involvement of minorities in the work of election administration could be assessed as positive. At the precincts monitored by the organisation, the election administration, mainly in the regions with compact minority settlements, was composed of national minority representatives. At 136 precincts secretary of the commission or/and chairperson was representing national minorities.

Apart from the above mentioned, the monitoring programme revealed certain needs, which must be addressed adequately:

- The set deadlines are not enough to submit justified complaints and appeals;
- The state due for starting court proceedings on election-related cases is too high;
- The law does not permit a voter to submit complaints to the election commissions and courts on any kind of violation of electoral legislation;
- Lawyers of political parties and civil society organisations have no uniform approach regarding explanations on electoral legislation that causes inexistence of common standard in understanding the electoral procedures.

At polling stations monitored by the organisation, women were widely represented in the election administration, though they were less represented at the decision-making level (chairperson and/or secretary). In particular, part of the PEC members at 192 polling stations were women, but only 51 women held the position of chairperson or/and secretary

Based on general evaluation of per-election period, as well as the Election Day, it can be concluded that the level of electoral knowledge of voters is still lacking in the regions with compact settlements of ethnic minorities, that ultimately affects the perspective of their quantitative and qualitative involvement in the elections. Lack of engagement of political subject with the regions densely populated with ethnic minorities is particularly evident. Political dialogue hardly exists at the local level.

8. Recommendations

Based on the results of the Presidential elections of October 27, the PMMG elaborated a number of recommendations for different interested parties, in order to further improve the electoral process and to make it fully in line with international and local standards of fair and democratic elections.

Election administration:

- ✦ Despite certain improvement of professional qualification of election administration members, there is still need for comprehensive training of PEC and DEC members, especially in issues related to vote counting and drawing up summary protocols.
- ✦ While selecting/appointing members of PECs in electoral districts with compact settlements of ethnic minorities, their linguistic skills – adequate level of knowledge of the Georgian language - should be taken into account.
- ✦ The election administration should demonstrate its goodwill and introduce practice of submitting and reviewing of notices/complaints in the minority languages. It is desirable to make the relevant amendment to the law.

Complaints and appeals:

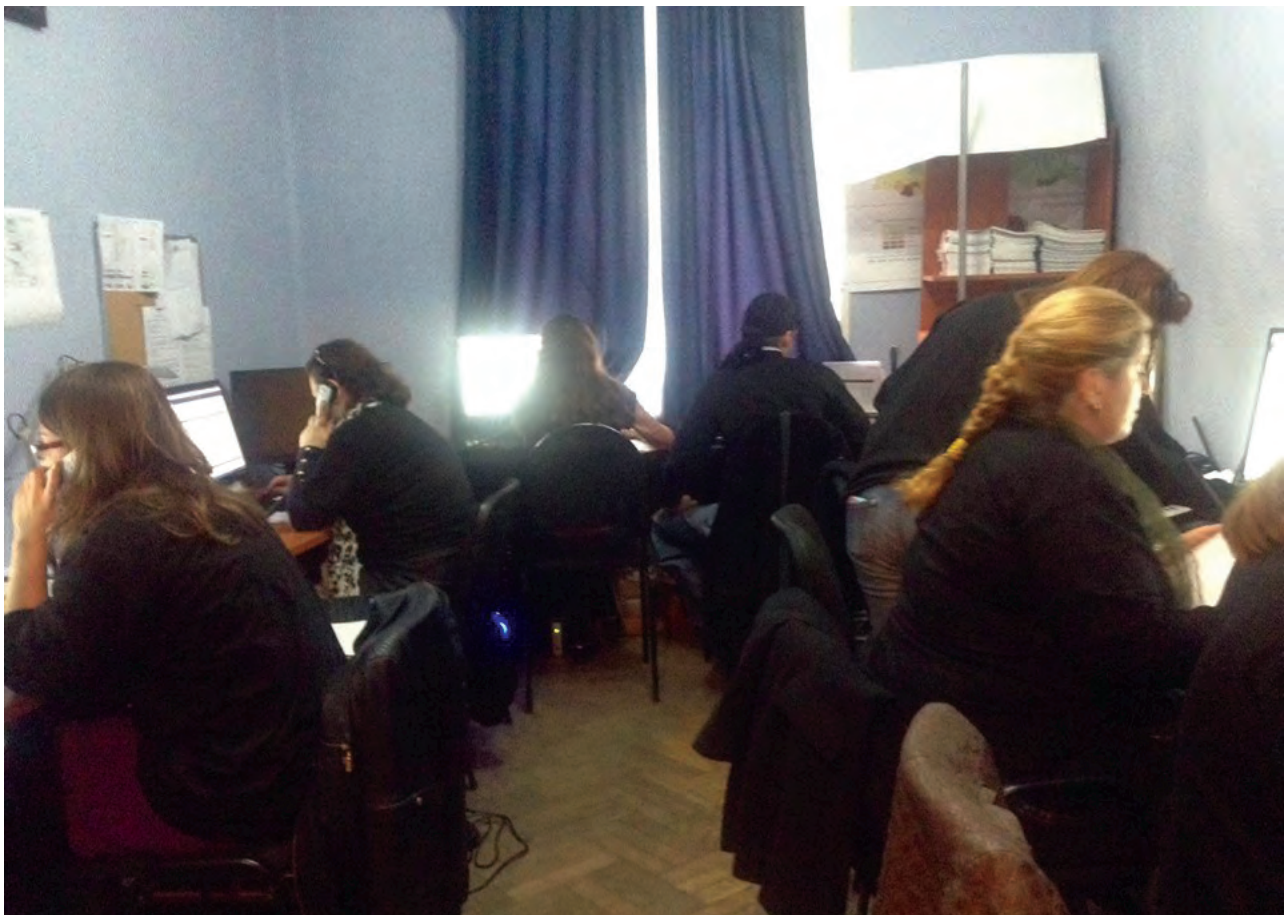
- ✦ The deadlines for submission of complaints and appeals should be prolonged in order to allow the plaintiff enough time to prepare arguments and relevant evidences.
- ✦ It is necessary to cancel or minimize the state dues for starting the court proceedings on election-related cases in order to avoid creating obstacles to interested parties in preparing complaints and appeals.
- ✦ The law must permit voters to submit complaints to the election commissions and courts on any kind of violation of electoral legislation.
- ✦ There is need to train the lawyers of political parties and civil society organisations in electoral legislation, skills for investigating violations and collecting the evidences, procedures of submitting appeals and skills for preparing and submitting the effective appeals.

Participation of ethnic minorities:

The results of the Presidential elections of October 27 revealed a number of problems and challenges which should be overcome in order to raise the level of quantitative and qualitative involvement of voters belonging to ethnic minorities in electoral processes: lack of knowledge and skills in electoral issues; lack of understanding of their electoral rights, as well as of political system; lack of knowledge of programmes of political subjects; lack of understanding of importance and nature of electoral process. Solution of this problem requires coherent and in-depth engagement of different parties with regions densely populated with ethnic minorities through implementing relevant voters' educational programmes. To that end:

- ✦ **The local civil society organisations, as well as international organisations should implement, in the intervals between elections, a wide-scale, long-term training programme for ethnic minority groups on issues related to voters, civil and political aspects. Mass media should actively get involved in raising the level of voters' electoral knowledge.**

- ❖ **Educational establishments** should include the element of voter teaching in the curriculum of final grades of secondary schools and higher educational institutions in order to promote awareness raising activities among pupils of non-formal education and high school as well as university students.
- ❖ **Election administration** should extend functioning of the special working group on issues of vulnerable voters' groups and expand the scope of its activities; continue training of PEC and DEC members belonging to ethnic minorities.
- ❖ **Political parties** should exert additional efforts to engage with vulnerable groups in the regions populated with ethnic minorities, with the view of disseminating information to voters about their programmes and promoting political dialogue at the local level.



9. Information about the PMMG

The Public Movement Multinational Georgia (PMMG) was founded on June 1, 1999 as a non-governmental organisation. It brings together the citizens of Georgia belonging to various ethnic, religious and linguistic groups living in Georgia. It is an umbrella organisation, which provides resource support and cooperates with representatives of 18 Diaspora and up to 56 community organisations working on human rights issues with different ethnic, religious and linguistic groups living in Georgia. PMMG is the CoE partner organisation. It represents interests of the international coalition “Fight Against Hatred in South Caucasus”. It is member of the Federal union of European Nations.

Since 2005, PMMG has been involved in implementation of monitoring programmes in Kakheti, Kvemo Kartli and Samtskhe-Javakheti regions. Results and recommendations presented by the PMMG are regularly disseminated to other interested parties, including the CEC. Recommendations elaborated by the organisation about policy of electoral environment were in the majority of cases taken into account by relevant interested parties – international and local organisations.

Main areas of activity of the PMMG are: protection of rights of vulnerable groups, primarily ethnic, religious and linguistic minority groups, their support and development of their potential, as well as creation of adequate conditions for their active civic involvement at all levels; conflict settlement, promotions of peace and civil accord; monitoring of human rights standards and protection of human rights defenders; support for democratic transformation and promotion of European values; local self-governance and development of local diasporas; development of intercultural dialogue and exchange, in parallel to harmonisation of interethnic relations in the society; training of voters, monitoring of elections and promotion of effective political, civic and electoral involvement of vulnerable groups.

For further details, please visit the PMMG official web-site at: <http://pmmg.org.ge/newsite>



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